

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed November 30, 2005. At the time of the Office Action, Claims 1-12 were pending in this Application. Claims 1, 3-7, and 9-12 were rejected. Claims 2 and 8 were objected to. Claims 5 and 10 have been amended. Applicants respectfully request reconsideration and favorable action in this case.

Objections to the Specification

Examiner has objected to the Specification for informalities. Applicants have amended the Specification accordingly.

Rejections under 35 U.S.C. § 102

Claims 1, 3-7, and 10-12 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 6,055,429 issued to Lynch ("Lynch"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

The Examiner stated that Lynch discloses all the limitations of present independent claim 1. Applicants respectfully disagree. Independent claim 1 defines a method for registering a new subscriber. Lynch does not provide for such a method. Lynch is silent with respect to any type of registration with a central system. The central system of the Lynch system is designated with numeral 10. The normal way to connect from a first mobile unit to

a second mobile unit is to route the call through the base unit. However, if the second mobile unit cannot be reached by the base unit, there will be no connection possible between the first and second unit even if a direct connection is possible. Lynch solves this problem by a specific method of placing a call from one mobile unit to another mobile unit without the use of the base unit. This method is disclosed in particular in column 10, lines 2-31. According to Lynch, each mobile unit maintains an audit buffer which lists other mobile units that can be reached directly. Thus according to Lynch, a mobile unit can reach another mobile unit in its vicinity without the interaction of the base unit. See col. 4, lines 52-63. Lynch also allows for a direct connection to more distant mobile units through other mobile units. For example, the first mobile unit can download the audit buffer list of the second unit and, thus, reach those units in the vicinity of the second mobile unit. See col. 10, lines 2-31. However, in none of these scenarios will there be any interaction with the base unit. In particular, the base unit is never involved in any type of registration.

In particular Fig. 1 shows a scenario which cannot fulfill the method steps according to claim 1. If unit 35 wants to place a call to unit 38 it will first check with the base unit which does not list unit 38 because no direct connection is possible. Then it will request the audit buffer list from unit 37 which acts as a router and which will provide unit 35 with a possible connection with unit 38 through unit 37. However, router 37 cannot forward the request by unit 35 to the base station for approval because unit 35 does not have a connection to the base station. Thus, the system according to Lynch discloses a completely different routing system which does not provide for a centrally maintained registration as disclosed in the present application.

Therefore, Lynch does not anticipate the present independent claim 1. Applicants respectfully submit that the dependent Claims are allowable at least to the extent of the independent Claim to which they refer. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

Allowable Subject Matter

Applicants appreciate Examiner's consideration and indication that Claims 2 and 8 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. However, as stated above, Applicants believe that all pending claims are allowable.

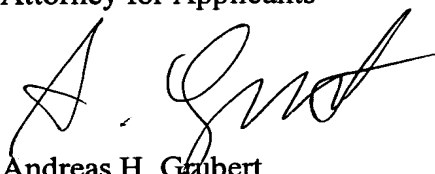
CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,
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